

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

BJ'S FLEET WASH, LLC,

Plaintiff,

vs.

**CITY OF OMAHA, MATT KALCEVICH,
in their individual and official capacities
(official capacity terminated per filing
number 43); BROOK BENCH, in their
individual and official capacities (official
capacity terminated per filing number 43);
KARI VASQUEZ, in their individual
capacities; and STEVEN SLATER, in their
individual capacities;**

Defendants.

8:22CV131

TRIAL SETTING ORDER

This matter is before the Court following a planning conference held with counsel for the parties on July 31, 2024, before the undersigned magistrate judge, and after review of the Joint Motion to Extend ([Filing No. 165](#)). In accordance with the matters discussed during the planning conference and for good cause shown,

IT IS ORDERED that the Joint Motion to Extend ([Filing No. 165](#)) is granted.

- 1) The deadline for filing motions to dismiss and motions for summary judgment is extended to **August 7, 2024**.
- 2) The Final Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **March 17, 2025**, at **10:00 a.m.**, and will be conducted in chambers. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to nelson@ned.uscourts.gov in Word format, by **3:00 p.m. on March 10, 2024**.
- 3) The jury trial of this case is set to commence before Robert F. Rossiter, Jr., Chief United States District Judge, in Courtroom 4, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at **9:00 a.m. on April 14, 2025**, or as soon thereafter as the case may be called, for a duration of **five (5)** trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 4) Motions in limine and motions seeking pretrial evidentiary hearings regarding the admissibility of evidence shall be filed no later than **twenty-eight (28)** days before trial.

- 5) The parties are ordered to comply with **Chief Judge Rossiter's** Civil Jury Trial Practices posted at <https://www.ned.uscourts.gov/attorney/judges-information>.

Dated this 31st day of July, 2024.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge